

**REMARKS**

**I. OVERVIEW**

Claims 1, 8, 16, 17, 19, 20, 22, 25, 27, 28, 42, 43, 50, 51, 53, 54, 56, 61, and 68-71 are pending in the present application. Claims 1, 17, and 42 have been amended by the instant amendment to more particularly recite and claim the invention. Applicants respectfully submit that no new matter is presented in these amendments. No claims have been added.

**II. INTERVIEW**

Applicants would like to thank Examiner Subramanian for his assistance during the Examiner-initiated telephone interview held on June 29, 2010. During the telephone interview, Examiner Subramanian noted the inclusion of particular dependent claims into the independent claims appeared to be patentable. Applicants thank Examiner Subramanian for his insight, and offers the instant Amendment and Response in partial response to Examiner Subramanian's comments.

**III. CLAIM 42 COMPLIES WITH 35 U.S.C. 112, SECOND PARAGRAPH**

Examiner Subramanian noted during the interview held on June 29, 2010 that claim 42 would potentially be rejected under 35 U.S.C. 112, second paragraph because of an alleged failure to set forth the relationships between the system components. Applicants respectfully submit that the instant amendment clarifies such relationships and connections, and therefore any potential rejection of claim 42 under 35 U.S.C. 112, second paragraph, is moot.

**IV. THE PRESENT CLAIMS, AS AMENDED, ARE PATENTABLE OVER LORSCH IN VIEW OF VAN HOFF**

Claims 1, 8, 16, 17, 19, 20, 22, 25, 27, 28, 42, 43, 50, 51, 53, 54, 56, 61, and 68-71 are pending in the present application. Of these, claims 1 and 42 are independent. Applicants respectfully

submit that claims 1 and 42 are patentable over Lorsch in view of Van Hoff because Lorsch in view of Van Hoff fail to disclose, teach, or suggest the claimed elements of:

- Using identifiers of a terminal or POS location to determine if a requested transaction is authorized.
- Using identifiers of a location or communications network to determine – after connected – whether the specific requested transaction is authorized.
- Using a network as an indicator of the trustworthiness of a merchant location, and based upon the network, considering and recording the merchant location as a trusted source.

Accordingly, because neither Lorsch nor Van Hoff, alone or in combination teach all references of independent claims 1 and 42, Applicants respectfully submit that claims 1 and 42 are patentable over Lorsch in view of Van Hoff, and request withdrawal of the rejection of claims 1 and 42 under 35 U.S.C. 103(a).

Claims 8, 16, 17, 19, 20, 22, 25, 27, 28, 61, and 68-71 each depend upon claim 1, and therefore incorporate the recitations and limitations of claim 1. Because claim 1 has been shown above to be patentable over the cited references, Applicants respectfully submit that claims 8, 16, 17, 19, 20, 22, 25, 27, 28, 61, and 68-71 are also patentable over Lorsch in view of Van Hoff, and request withdrawal of the rejection under 35 U.S.C. 103(a).

Claims 43, 50, 51, 53, and 56 depend off of claim 42, and therefore incorporate the recitations and limitations of claim 42. Because claim 42 has been shown above to be patentable over the cited references, Applicants respectfully submit that claims 43, 50, 51, 53, and 56 are also patentable over Lorsch in view of Van Hoff, and request withdrawal of the rejection under 35 U.S.C. 103(a).

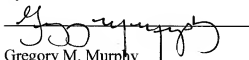
**IV. CONCLUSION**

For all the reasons set forth above, it is respectfully submitted that all outstanding rejections have been overcome. All pending claims 1, 8, 16, 17, 19, 20, 22, 25, 27, 28, 42, 43, 50, 51, 53, 54, 56, 61, and 68-71 are patentably distinguishable over the prior art of record. Applicants accordingly submit that these claims are in a condition for allowance. Reconsideration and allowance of all claims are respectfully requested.

Should the Office have any questions or wish to discuss the present application, please contact the undersigned representative of Applicants at the number listed below.

August 31, 2010

By:



Gregory M. Murphy

Reg. No. 52,494

(E) gmmurphy@LandmarkIP.com

(T) 804.971.7729

(F) 804.767.3416

\* \* \* \*

**Please Direct all Correspondence to:**

LANDMARK INTELLECTUAL PROPERTY LAW, PLLC  
P.O. Box 1266  
Midlothian, Virginia 23113  
info@LandmarkIP.com